

EXHIBIT A-18

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JAMES HAYDEN,

Plaintiff,

-vs-

CASE NO. 1:17CV2635

2K GAMES, INC., et al.,

Defendants.

Deposition of BERNARDINO TOVANCHE

Cleveland, Ohio

Wednesday, January 29, 2020 - 7:36 p.m.

Reported by:

Pamela S. Greenfield, RDR, CRR

Job No: 26860

1 Vague. Calls for speculation.

2 A. In terms of what? Tattooing, like in techniques
3 or antiseptic techniques? Like what are we
4 talking about here?

5 Q. Let's break it down. For techniques, are there
6 certain standard practices?

7 MR. ALEXANDER: Objection.

8 Calls for speculation.

9 A. That's the great thing about tattooing is that
10 each artist is unique in the way that they
11 actually apply the tattoo. That's what makes
12 tattooing awesome. So it's like a painter with
13 different brush strokes, so there's needle depth
14 to take into consideration, so it's going to vary
15 from artist to artist.

16 If you take every single artist at Focused
17 Tattoos and give them: Tattoo this tattoo,
18 tattoo a heart, whatever it is, a rose, you're
19 going to get ten different tattoos even if it's
20 the same exact drawing that you guys decided on
21 and that's because everyone's hand speed is
22 different. Their stroke's different. Their
23 move -- their motions are different. Their, the
24 way that they place the needles inside the
25 machine, the needle depth is different. Their

1 application of the tattoo is a little bit
2 different. So it's almost like a fingerprint to
3 that tattoo artist, so it's pretty unique and
4 that's what really makes it an art form, so the
5 techniques are going to be different from artist
6 to artist.

7 Even an artist that you show how to tattoo is
8 going to be a different tattoo artist than what
9 you are. They're going to use different
10 techniques so they might pull from this and pull
11 from that. Their needle depth is going to be
12 different. The speed of their machine is going
13 to be different. Power supply. There's so many
14 different variables associated with it, and...

15 Q. So other than technique, are there any kind of
16 standard industry practices that you can think
17 of?

18 MR. ALEXANDER: Objection.

19 Calls for speculation.

20 A. In terms of the application of the tattoo or like
21 are you, are you talking about like a setup for
22 the tattoo or are you talking about antiseptic
23 technique?

24 Q. In terms of when a client comes in to get a
25 tattoo, do you think there's a certain set of

1 kind of expectations about what's going to happen
2 when they get tattooed?

3 MR. ALEXANDER: Objection.

4 Calls for speculation.

5 A. What the expectation I suppose would be that they
6 get a good tattoo. I mean...

7 Q. And would you say that the expectation is that
8 they leave and they don't necessarily have to go
9 back and get their tattooist's permission to go
10 about their life?

11 MR. ALEXANDER: Objection.

12 Foundation. Calls for speculation.

13 A. I mean I'm not sure about that. Like -- if,
14 what, so rephrase please.

15 Q. Yeah. Let me put it this way: Have you ever
16 gone back to any of the people who have tattooed
17 tattoos on you and asked their permission to show
18 your body in any way?

19 MR. ALEXANDER: Objection.

20 Form.

21 A. Have I? No.

22 Q. Have any of your clients gone back to their
23 tattooist and asked for permission?

24 MR. ALEXANDER: Objection.

25 Form. Asked and answered.